

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

SARAH WALKER,

Plaintiff,

vs.

No. CIV 09-0060 JB/KBM

THI OF NEW MEXICO AT HOBBS CENTER d/b/a
HOBBS HEALTH CARE CENTER, DIANA
MELTON, JAIME ANDUJO, DEBBIE
LOTHRIDGE, KAREN HOOD (MILLER),
THI OF NEW MEXICO, LLC, FUNDAMENTAL
CLINICAL CONSULTING, LLC, FUNDAMENTAL
ADMINISTRATIVE SERVICES, LLC,
THI OF BALTIMORE, INC., and FUNDAMENTAL
LONG-TERM CARE HOLDINGS, LLC,

Defendants,

and

THI OF NEW MEXICO AT HOBBS CENTER, LLC,
THI OF NEW MEXICO, LLC, FUNDAMENTAL
ADMINISTRATIVE SERVICES, LLC, AND
FUNDAMENTAL CLINICAL CONSULTING, LLC,

Counter-Plaintiffs,

vs.

SARAH WALKER,

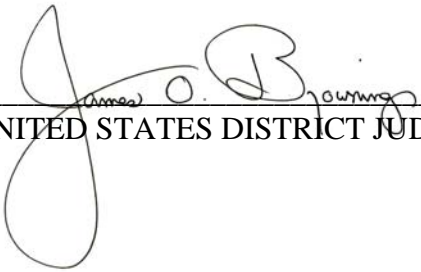
Counter-Defendant.

MEMORANDUM OPINION AND ORDER

THIS MATTER comes before the Court on the Facsimile to the Court from Richard Rosenstock, filed June 22, 2011 (Doc. 346)(“Facsimile”). The Court held a hearing on July 6, 2011. Request for Production No. 33 requests “[ABCD] and cash reports showing the goals and cash collections for Sandra Mares at both the Albuq. Care Center and the Albuquerque Specialty

Hospital.” Facsimile at 1. For the reasons stated on the record at the hearing, the Court will order production of the ABCD and cash reports showing the goals and cash collections for Mares at the Albuquerque Specialty Hospital. Request for Production No. 35 seeks “[t]he Hobbs Health Care [ABCD] and cash reports for each month during 2003.” Facsimile at 1. For the reasons stated on the record at the hearing, the Court orders production of the ABCD and cash reports for the Hobbs Health Care Center, regardless of ownership, for the months of January, 2003 through August, 2003. Request for Production 36 seeks “[t]he ABCD and Cash Reports from all the facilities within the region that was administered by Mr. Andujo for 2009 and 2010.” Facsimile at 1. For the reasons stated on the record at the hearing, the Court will order the ABCD and cash reports from all the facilities, not just New Mexico, that Defendant Jaime Andujo administered or supervised for 2009 and 2010. Request for Production No. 37 seeks the ABCD “and cash reports on the facilities within Mr. Andujo’s region that have not previously been produced.” Facsimile at 1. For the reasons stated on the record at the hearing, the Court’s order regarding Request for Production No. 36 resolves Request for Production No. 37. At the hearing, Walker represented that the dispute regarding Request for Production No. 40 has been resolved. Interrogatory No. 27 asks for “the identity of each [Business Office Manager] at Hobbs who, during 1995-2011, was able to collect the amount of money Defendants required of Plaintiff under the November, 2008 action plan.” Facsimile at 1. For the reasons stated on the record at the hearing, the Court will deny the request to supplement Interrogatory No. 27.

IT IS ORDERED that the Defendants produce documents responsive to Request for Production Nos. 33, 35, and 36. The Court will deny the request to supplement Interrogatory No. 27.



UNITED STATES DISTRICT JUDGE

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-- and --

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